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SPECIAL PROCEDURES SUBMISSION
MS PGPUB - ABD
PATENT
0789-0153P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Chaogang XIE et al.	Conf.:	4575
Appl. No.:	10/679,964	Group:	1764
Filed:	October 7, 2003	Examiner:	

For: A PROCESS FOR THE PRODUCTION OF ETHYLENE AND PROPYLENE BY CATALYTIC PRYROLISIS OF HEAVY HYDROCARBONS

PETITION UNDER 37 CFR § 1.138(c)
TO EXPRESSLY ABANDON AND
WITHDRAW REISSUE APPLICATION OF USP 6,210,562 B1 FROM PUBLICATION

HANDCARRY TO:
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

January 14, 2004

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Sir:

Pursuant to the provisions of 37 C.F.R. § 1.138, Applicant(s) hereby **expressly abandons** this reissue application, but not the invention recited therein, without prejudice, and **requests that the application be withdrawn from publication.**

This reissue application was filed in order to correct a typographical error in claim 1. Concurrent with this reissue application, a request for a certificate of correction of United States patent no. 6,210,562 B1, issued April 3, 2001 was filed. Applicants note that the proper way to correct a typographical

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error is by a certificate of correction in accordance with 35 U.S.C. §255 and 36 C.F.R §1.323.

On November 18, 2003, a certificate of correction amending claim 1 to correct the typographical error was issued. This reissue application is therefore rendered moot, and abandonment of the reissue application is therefore indicated.

This action is taken without prejudice to the right of the Applicant to seek patent protection for the same or similar claims in other co-pending applications.

According to 37 CFR § 1.138(c), "(a)n applicant seeking to abandon an application to avoid publication of the application (see § 1.211(a)(1)) must submit a declaration of express abandonment by way of a petition under this section including the fee set forth in § 1.17(h) in sufficient time to permit the appropriate officials to recognize the abandonment and remove the application from the publication process. Applicant should expect that the petition will not be granted and the application will be published in regular course unless such declaration of express abandonment and petition are received by the appropriate officials more than four weeks prior to the projected date of publication."

In this regard, it is respectfully submitted that the present application has not yet been assigned a projected publication date. Accordingly, it is believed that this request be accepted as timely filed.

Please charge Deposit Account No. 02-2448 in the amount of 130.00, as payment of the fee under § 1.17(h). A duplicate copy of this Petition is attached hereto.

It is respectfully requested that confirmation that this application is abandoned and will not be published be forwarded to the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____
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(Rev. 11/26/03)